

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Frederick MORELLO et al.

Confirmation No.: 2229

Serial No.: 09/8963,365

Art Unit: 3635

Filed: June 29, 2001

Examiner: Yvonne M. Horton

For: A BUILDING PANEL AND
PANEL CRIMPING MACHINE

Attorney Docket No.: 491328-600006

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider relevant to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

- ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending unpublished U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion that have been checked to be unavailable at the USPTO's private PAIR system;
- ☐ An English language copy of the search report(s) from a counterpart foreign application or PCT International Search Report (ISR).
- ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications;
- ☒ All other information or portion which caused it to be listed on the PTO-1449.

1c. ☒ Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent application publications are not submitted herewith unless required by the office.

1d. ☐ Pursuant to 1287 OG 163, copies of cited pending unpublished applications that are available at the USPTO's private PAIR system are not submitted herewith.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- ☐ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- (Check either Item 3a or 3b)*
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed.
- ☒ to be charged to Jones Day Deposit Account No. 503-013.
- (Item 3b to be checked if any reference known for more than 3 months)*
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The Certification Statement in Item 5 below is applicable.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Jones Day Deposit Account No. 503-062.
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked):
- (Check either Item 5a or 5b)*
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6. ☐ This application is a continuation application under 37 C.F.R. §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. _____, filed on _____, and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on _____.
8. ☒ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

- 8a. ☒ Satisfied because non-English language publications were cited on any enclosed English language copy of a PCT International Search Report or a search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☒ Set forth here:

GE1695 corresponds to U.S. Patent No. 5,249,455, which is listed on the attached list of references cite.
CN 2152845 was cited by the Chinese Patent Office in an Office Action dated March 2, 2007 for Chinese counterpart application no. 02812862.1 in rejecting subject matter corresponding to present claim 3 for lack of inventiveness in combination with U.S. Patent No. 4,962,622.

- 8c. ☐ Enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 503-013.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,



47,851

Date: May 25, 2007

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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Attorney Reference: 491328-600006

Applicant: MORELLI et al.

Application Serial No. 09/896,365

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Examiner: Yvonne M.
Horton

Group Art Unit: 3635

Date: May 25, 2007

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U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR 5,584,198	12/17/1996	Morello			
	BR 3,842,647	10/22/1974	Knudson			
	CR 5,249,445	10/5/1993	Morello			
	DR 4,505,084	3/19/1985	Knudson			
	ER 5,359,871	11/1/1994	Morello			
	FR 6,722,087	04/20/2004	Morello			
	GR 4,364,253	12/21/1982	Knudson			
	HR 4,505,143	03/19/1985	Knudson			
	IR					
	JR					
	KR					
	LR					
	MR					
	NR					

FOREIGN PATENT DOCUMENTS

	Document Number	Date MM/YYYY	Country	Translation Readily Available		English Abstract	
				Enclosed	No	Enclosed	No
	OR GE 1695	5/1999	Georgia				
	PR HU 189778 B	07/1988	Hungary				
	QR HU 190331 B	07/1988	Hungary				
	RR HU 181342 B	03/1985	Hungary				
	SR HU 203688 B	09/1991	Hungary				
	TR NZ 531441	06/2004	New Zealand				
	UR WO 03/018927	03/2003	PCT				
	VR WO 98/045064	10/1998	PCT				
	WR CN 2152845	1/1994	China				
	XR						

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

YR	Search Report for Corresponding Georgian Application No. AP 2002 005403, dated August 11, 2004.
ZR	Search Report for Corresponding Hungarian Application No. PO 400870, dated May 17, 2004.
AAR	Search Report for Corresponding New Zealand Application No. 530016, dated August 9, 2004.
BBR	
CCR	
DDR	

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.